IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 8351 of 2005

Between:

Pitla Krishna, s/o late P.Pentaiah,
r/o 35-26, Brindavan Colony, Sainikpuri Post, Secunderabad.

..... PETITIONER

AND

The Station House Officer, rep., by state of A.P., Kushaiguda Police Station, at ECIL 'X' Roads, Kushaiguda, Ranga Reddy District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus, any other appropriate writ, order or directions declaring that the action of the respondent in not taking any consequential steps in pursuance of the cases in Crime No.222/2003, dated 24-06-2003u/s.447, 427 and 506 IPC in crime no.223 of 2003, dated 24-06-2003 u/s.447 & 427 IPC and in crime No.232 of 2003 dated 29-06-2003 u/s.447, 506 and 427 IPC as being arbitrary, illegal and violative of Article 21 of the Constitution of India and consequently direct the respondents to either file the charge sheet at the earliest or close the case in Crime Nos.222/03, 223/03 and 232/03 and pass such other order or orders which the circumstances of the case may warrant.

Counsel for the Petitioner:MR.VIJAY B.PAROPAKARI

Counsel for the Respondent: GP FOR HOME

The Court at the admission stage made the following :

ORAL ORDER:

Heard both sides.

This writ petition is filed seeking to issue Writ of Mandamus declaring the action of the respondent in not taking any consequential steps in pursuance of the cases registered in Crime NO.222 of 2003, dated 24.06.2003 under Sections 447, 427 and 506 I.P.C., in Crime NO.223 of 2003, dated 24.06.2003 under Sections 447,427 I.P.C. and in Crime NO.232 of 2003, dated 29.06.2003 under Sections 447, 506 and 427 I.P.C. as illegal, arbitrary and violative of principles of natural Justice and for a consequential direction to the respondent to either file a charge sheet at the earliest or close the case in Crime Nos.222, 223 and 232 of 2003.

The grievance of the petitioner is that though Crime Nos.222, 223 and 232 of Kushaiguda Police Station have been registered against him under Sections 447, 427 and 506 I.P.C., neither investigation has been initiated nor any charge sheet has been filed by the respondent so far.

Learned counsel for the petitioner submits that it is fit case to discharge the petitioner from the said offences.

The said submission of the learned counsel for the petitioner cannot be accepted. But, however, having regard to the fact that Crime Nos.222, 223 and 232 have been registered against the petitioner, the sole respondent is directed to initiate investigation, complete the same and file charge sheet, if any case is found. Since this issue has been pending for two years, the respondent is further directed to complete the whole exercise as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of this order.

With the above observation, the writ petition is disposed of. There shall be no order as to costs.

13.04.2005

Jsu

To

1. The Station House Officer, rep., by state of A.P., Kushaiguda Police Station, at ECIL 'X' Roads, Kushaiguda, Ranga Reddy District.

2 2 CCs to the G.P for Home, High Court Buildings, Hyderabad. (OUT)

3 2 CD copies